



October 28, 2011

To: Executive Board

Subject: **2011 Legislative Summary**

Recommendation

Receive and file the October 2011 Legislative Summary. There are no recommended positions on bills this month.

Analysis

A summary of state and federal legislation and its status is attached. October 9 was Governor Brown's deadline to sign or veto any bills sent to him this year. The Legislature sent 870 bills to the Governor. He signed 740 and vetoed 125. The California Transit Association (CTA) reported that of their eleven priority bills, nine were signed and two vetoed. A good year overall from a transit perspective in Sacramento.

The Legislature will now spend the remainder of the year working in their districts unless called to Sacramento by the Governor for a special session or other business as deemed necessary. We can expect to see them at more local events until they return to the final year of this session the first week of January, 2012.

In Washington, D.C., Congress has approved a six-month extension to SAFETEA-LU, the federal surface transportation authorizing law, which was set to expire on September 30. The bill extends federal transit and highway spending authority and federal motor fuels taxes for the same length of time. The extension provides spending authority at FY 2011 spending levels and does not make any program or policy changes. This extension, through March 31, 2012, provides the House and Senate authorizing committees' time to reach an agreement on a longer term authorization bill.

The Senate Appropriations Committee approved the FY 2012 Transportation, Housing and Urban Development, and Related Agencies (THUD) bill that sets spending levels for transportation programs in the upcoming fiscal year. In the House, the THUD Appropriations Subcommittee marked up its version of the bill last month, but the bill has not yet gone to the full House Appropriations Committee. Since neither chamber is expected to complete action on its respective bill, the Congress is separately working on a continuing resolution (CR) that would fund transportation and other programs through November 18, 2011.

Transportation Secretary Ray LaHood announced he is staying in his post only through President Obama's first term, and will not run for public office. LaHood, 65, the sole Republican in President Obama's cabinet, spoke to the Chicago Tribune after a National Press Club event at which he urged passage of the President's jobs bill. LaHood told

the paper he would not run for public office again, specifically ruling out a run for governor of Illinois. He previously served for 14 years as a member of Congress from Illinois. He said he expects there will be some "wonderful opportunities" for him in the private sector when he leaves government.

Transportation Department officials confirmed the account and issued a statement from LaHood. "I serve at the pleasure of the President and it is an honor to look out for the safety of the American public when it comes to planes, trains, automobiles and more," LaHood said. "Throughout this term, we have also focused our efforts on creating jobs as we rebuild our roads, rails and runways and I look forward to working with Congress to pass the American Jobs Act so we can put Americans back to work."

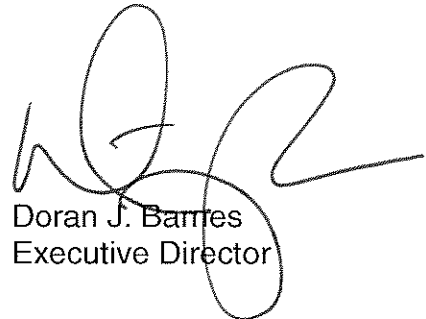
Financial Impact

Recent action at the federal and state levels will have no impact on the Foothill Transit budget.

Sincerely,



David Reyno
Director of Government Relations



Doran J. Barres
Executive Director

2011 Legislation Summary

Current as of 10/19/2011

(Amendments and Bills with updated status or requesting action are indicated in **bold**)

Bill No.	Author	Analysis	Potential Impacts	Location	Outside Agency Positions	Recommended Position
AB 147	Dickinson	Existing law under the Subdivision Map Act authorizes cities and counties to charge developer fees to defray the costs of infrastructure improvements to support development projects. Development impact fees levied under the Subdivision Map Act are charged as a condition of approval of a final map or building permit. Current law limits the use of these fees for the mitigation of traffic impacts to bridges and major thoroughfares. AB 147 would authorize a local agency to also use this fee for transit, bicycle, and pedestrian facilities.	This bill could mean more local money provided to Foothill Transit for facility construction.	Signed by the Governor & Chaptered by the Secretary of State - 9/6/2011	CTA - Support	Support Position Adopted 9/25/2011
AB 345	Atkins	Would require the Department of Transportation (Caltrans) to ensure that any committee or formal group of the California Traffic Control Devices Committee (CTCDC) includes representation from all users of the road, including public transit, thereby improving the implementation of complete streets policies.	This bill will make certain that the interests of state public transit agencies including Foothill Transit are represented on the CTCDC.	Now a 2 Year Bill	CTA - Support	Support Position Adopted 5/27/2011
AB 485	Ma	Would provide an optional financing mechanism to allow transit agencies greater incentives and opportunities to explore transit-oriented development (TOD) options with local governments. Furthermore, if a city or county wishes to pursue a TOD project with a local transit agency within an existing "transit village development district," they may pursue an agreement setting forth the conditions by which bonds could be issued to develop and make improvements to a specific transit station.	This bill would provide Foothill Transit greater opportunities to work with our member cities and the County to pursue transit oriented development partnerships.	Now a 2 year Bill	CTA - Support	Support Position Adopted 4/27/2011
AB 650	Blumenfeld	This bill would establish the Blue Ribbon Task Force on Public Transportation for the 21st Century and would require the task force to be comprised of 12 specified members appointed by the Senate Committee on Rules and the Speaker of the Assembly by March 31, 2012. The bill would require the task force to prepare a written report that contains specified findings and recommendations relating to the current state of California's transit system, the estimated cost of creating the needed system over various terms, and potential sources of funding to sustain the transit system's needs, and to submit the report by March 31, 2013, to the Governor and other key legislative bodies.	We understand that members of the environmental community will have a role on the Task Force which brings an important voice for transit into the mix who has not been actively involved previously.	Vetoed by the Governor – 9/26/2011	CTA – Support LA Metro - Support	Support Position Adopted 3/25/2011
AB 1097	Skinner	Would require the Secretary of the Business, Transportation and Housing Agency to authorize a state or local agency receiving federal funds for transit purposes to provide a bidding preference to a bidder if the bidder meets or exceeds Buy America requirements applicable to federally funded transit projects.	Existing federal guidelines preclude state transit agencies that receive federal funds from crediting American-made products and manufacturing at a greater than 60% level unless a state Buy American provision exists in statute that is more stringent than Federal Transit Administration (FTA) standards. The State of California currently has no such preference law. By authorizing transit agencies to assign more credit to bidders that use a higher percentage of domestic content	Signed by the Governor & Chaptered by the Secretary of State - 10/2/2011	CTA – Support	Support Position Adopted 8/26/2011

2011 Legislation Summary

Current as of 10/19/2011

(Amendments and Bills with updated status or requesting action are indicated in **bold**)

Bill No.	Author	Analysis	Potential Impacts	Location	Outside Agency Positions	Recommended Position
SB 582	Emmerson	Existing law requires transportation planning agencies to undertake various transportation planning activities, including preparation of a regional transportation plan and also requires transportation planning agencies that are designated under federal law as metropolitan planning organizations (MPO's) to include a sustainable communities strategy as part of the regional transportation plan for their region. SB 582, beginning on January 1, 2013, would authorize a metropolitan planning organization, in partnership with the local air quality management district, to adopt a commute benefit ordinance that requires covered employers operating within the common jurisdiction of the organization and district with 20 or more covered employees to offer those employees certain commute benefits.	<p>than federal guidelines require, this bill may assist in stimulating more manufacturing in this country to support transit needs and create jobs in the United States and California.</p> <p>Additional commuter benefits could mean more potential riders on Foothill Transit's system.</p>	Vetoed by the Governor – 8/1/2011	CTA – Support	Support Position Adopted 3/25/2011
H.R. 1380	Sullivan	The New Alternative Transportation to Give Americans Solutions Act of 2011 is designed to promote a switchover from petroleum-based fuels to natural gas for transportation. The bill would provide a variety of tax breaks to transit agencies, trucking companies, vehicle owners and vehicle manufacturers to transition from gasoline and diesel to natural gas and provide approximately \$5 billion in subsidies over a five year period. Transit agency tax breaks would include amending the Internal Revenue Code to allow an excise tax credit through 2016 for alternative fuels and fuel mixtures involving compressed or liquefied natural gas.	The extension of the alternative fuels excise tax credit until 2016 would provide Foothill Transit with an ongoing operating funding source for the next five years.	House Committee on Energy and Commerce	Clean Energy	Support